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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

SANDERS, JOHN L. et al.

Serial No. : 10/708,653

Filed: March 17 2004

ANIONIC POLYMERS COMPOSED OF  
DICARBOXYLIC ACIDS AND USES  
THEREOF

Dkt. 30621-DIV1-CIP1

Group Art Unit No. 1713

Examiner: H. Pezzuto

Commissioner of Patents  
Alexandria, VA 22313-1450

Sir:

DECLARATION TO DISQUALIFY COMMONLY OWNED PATENT  
AS PRIOR ART PURSUANT TO 37 C.F.R. § 1.130

I, JOHN L. SANDERS, declare and state as follows:

1. I am one of the inventors of the subject matter described and claimed in U.S. Patent No. 6,525,155 (the '155 patent), and in U.S. Patent No. 6,596,831 (the '831 patent), and am also one of the inventors of the subject matter described and claimed in the above identified patent application.
2. The inventor named in this application is the prior inventor of U.S. Patent No. 6,525,155, and U.S. Patent No. 6,596,831 under 35 U.S.C. 104. A terminal disclaimer in accordance with 37 C.F.R. 1.021(c) is included herewith.
3. Prior to the date of invention of the subject matter of the '155 and '831 patents, and prior to the date of invention of the subject matter claimed in the above identified patent application, an agreement was made between Specialty Fertilizer Products, LLC and me that all inventions subsequently made by or on behalf of Specialty Fertilizer Products, LLC relating to polymers and

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fertilizers, and related technologies would be owned jointly by Specialty Fertilizer Products, LLC and me. The subject matter of the '155 and '831 patents and the invention claimed in the above-identified application were both made on behalf of Specialty Fertilizer Products, LLC and were, at the time the latter invention was made, subject to an obligation of assignment to Specialty Fertilizer Products, LLC and me.

4. This Agreement was effected in the application which matured as the '155 and '831 patents and in the present patent application, in that the inventors in each instance other than me assigned all of their right, title and interest to Specialty Fertilizer Products, LLC. Therefore, the '155 and '831 patents and the instant application are commonly owned, pursuant to the agreement referred to in paragraph 2 hereof. Copies of the Assignments referred to in this paragraph are attached to the concurrently filed Declaration of John Hardy.

5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful, false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and such wilful false statements may jeopardize the validity of any patents issued from the patent application.

  
JOHN L. SANDERSDate: 7/20/05